

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

JOHN ANDERSON,

Plaintiff,

v.

Case No. 03-C-957

JO ANNE B. BARNHART,

Defendant.

---

**ORDER GRANTING MOTION FOR ATTORNEY'S FEES**

---

Plaintiff John Anderson filed this action for judicial review of a decision by the Commissioner of Social Security denying his application for disability insurance benefits under the Social Security Act. On March 24, 2005, this court concluded that the ALJ had failed to develop a full and complete record and remanded the case pursuant to sentence 6 of 405(g) for further proceedings. On remand, the ALJ issued a fully favorable decision finding plaintiff disabled commencing on June 22, 2001. Plaintiff, through counsel, now seeks attorney's fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, based upon this court's previous order and the favorable decision received from the ALJ. Plaintiff contends that the government's position was not substantially justified, thereby entitling him to an award of just compensation. Plaintiff seeks a fee in the amount of \$3,533.13 for 23.2 hours of work on this case.

In a letter response filed with the court on February 13, 2006, counsel for the defendant has advised the court that the defendant does not oppose plaintiff's motion for attorney's fees in the amount requested as full satisfaction and settlement of any and all claims plaintiff has in the matter

pursuant to the Equal Access to Justice Act. Counsel for the defendant requests that payment be made directly to counsel for the plaintiff.

Based upon the foregoing, plaintiff's motion shall be granted. The court finds that the defendant's position was not substantially justified and that plaintiff is entitled to an award of attorney's fees. The court further finds that the requested fee of \$3,533.13 is just and reasonable compensation under the EAJA for services performed in this matter.

**IT IS THEREFORE ORDERED** that judgment be entered in favor of the plaintiff and against the defendant for attorney's fees in the amount of \$3,533.13. Payment shall be made directly to Attorney David G. Dreis.

**SO ORDERED.**

Dated this 14th day of February, 2006.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge